



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed May 27, 2020

Mark X. Mullin

United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:

TODD MEAGHER

Debtor.

§
§
§
§
§
§

Chapter 11

Case No. 20-40208-mxm11

**ORDER DENYING CHAPTER 11 DEBTOR'S MOTION
TO SELL AND ASSIGN CERTAIN INTELLECTUAL PROPERTY
RIGHTS FREE AND CLEAR OF LIENS, CLAIMS, AND ENCUMBRANCES**

The Court has considered the *Chapter 11 Debtor's Motion to Sell and Assign Certain Intellectual Property Rights Free and Clear of Liens, Claims, and Encumbrances* [Docket No. 43] (the "**Motion**"),¹ filed by Todd Meagher (the "**Debtor**") as debtor-in-possession in the above-captioned chapter 11 case, seeking authorization from the Court to enter into the *Intellectual Property Purchase and Assignment Agreement* attached to the Motion as Exhibit A (the "**Purchase Agreement**") to allow the Debtor to sell certain intellectual property rights (the "**IP Rights**") to

¹ Capitalized terms not otherwise defined herein have the meanings ascribed to them in the Motion.

GHER Solutions, LLC, and has found that proper and adequate notice of the Motion and hearing thereon has been given. After having given due deliberation upon the Motion, *HEB Grocery Company, LP's Response in Opposition to Debtor's Motion to Sell and Assign Certain Intellectual Property Rights* [Docket No. 60] filed by HEB Grocery Company, LP, and all of the proceedings had before the Court in connection with the Motion, and according to Federal Rule of Civil Procedure 52 and Federal Rules of Bankruptcy Procedure 9014 and 7052, this Court incorporates its findings of fact and law, as stated orally in the hearing upon the Motion, into this order. Having found that good and sufficient cause exists for denying the relief requested in the Motion, it is **HEREBY ORDERED THAT:**

1. The Court finds that the proposed sale is not an ordinary-course transaction, and may not be consummated without the express approval of this Court.
2. The Court further finds that there is insufficient evidence that the proposed sale is a sound business transaction to benefit the estate and its creditors, and the Debtor is therefore disallowed and prohibited from selling the IP Rights that are the subject of the Motion.
3. For the foregoing reasons and others set forth on the record at the Hearing and expressly incorporated herein, the Motion is DENIED in its entirety without prejudice to the filing of future motions by the Debtor seeking this Court's approval to sell the IP Rights.

END OF ORDER

Submitted by:

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